

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

DANNY L. THOMPSON,	:	
Plaintiff	:	Civil Action 2:10-cv-564
v.	:	Judge Frost
PATRICK KELLY, <i>et al.</i> ,	:	Magistrate Judge Abel
Defendant	:	

ORDER DISMISSING CASE

Plaintiff filed this action on June 17, 2010. In his complaint, he stated that he is a registered sex offender, and that in 2008 he moved from California to Athens County, Ohio. After moving to Ohio, he received a letter from the Athens County Sheriff's Office identifying him a Tier III Sex Offender with Notification, and requiring him to timely verify his address or face felony prosecution. Plaintiff represented that he always timely registered in California. He argued that his constitutional rights had been violated because Ohio's "Megan's Law" was an unconstitutional *ex post facto* law and because he should be subject to California law and registration requirements, not those of Ohio.

Upon initial screening, the Magistrate Judge found that the United States Supreme Court has upheld other states' Megan's Law statutes against similar *ex post facto* challenges, and that the Ohio Supreme Court has upheld Ohio's statute against such a challenge. Furthermore, the United States Supreme Court has

upheld registration requirements for offenders who travel from one state to another as constitutional, and the law has long held that persons who change their residence from one state to another become subject to the laws of their new state. Therefore, found the Magistrate Judge, Plaintiff's claims are barred as a matter of law.

Plaintiff has filed no objections to the initial screening report and recommendation within the time permitted to do so. Upon *de novo* review, I **ADOPT** the recommendation (Doc. #3). This case is **DISMISSED** pursuant to 28 U.S.C. §1915(e)(2)(B)(ii) for failure to state a claim upon which relief can be granted.

/s/ Gregory L. Frost
United States District Judge